

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHARON HAWKINS, derivatively on behalf of	:	
MEDAPPROACH, L.P. and individually,	:	
	:	
<i>Plaintiff,</i>	:	
v.	:	
	:	Case No.: 1:13-cv-5434-ALC-DCF
MEDAPPROACH HOLDINGS, INC., and W.	:	
BRADLEY DANIEL,	:	
	:	
<i>Defendants,</i>	:	
	:	
-and-	:	
	:	
MEDAPPROACH, L.P.,	:	
	:	
<i>Nominal Defendant.</i>	:	
	:	
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NOTICE OF PARTIAL MOTION TO DISMISS
THE SECOND AMENDED COMPLAINT

PLEASE TAKE NOTICE that Defendants MedApproach Holdings, Inc. and W. Bradley Daniel, by their undersigned counsel, will move this Court, on a date and time to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(6), dismissing with prejudice Counts I, II and II of Plaintiff's Second Amended Complaint, filed before this Court on February 20, 2015, for failure to state a claim upon which relief can be granted. In support of their Motion, Defendants will rely upon the Memorandum of Law in Support of Defendants' Partial Motion to Dismiss the Second Amended Complaint filed concurrently herewith, and on the prior pleadings and proceedings in this case.

Dated: March 20, 2015

By: /s/ Jeffrey A. Simes

Jeffrey Alan Simes

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Attorneys for Defendants

MedApproach Holdings, Inc. and

W. Bradley Daniel

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2015, I caused to be served by electronic means via the Court's CM/ECF System a copy of the Notice of Partial Motion to Dismiss the Second Amended Complaint on all counsel registered to receive electronic notices.

/s/ Jeffrey A. Simes